

REMARKS

This is in response to the Office Action mailed on May 15, 2007. Claims 1-59 were pending in the application, and the Examiner rejected all of the claims. With the present response, claims 1, 4, 6, 7, 12, 26, 34-38, 42, 44-45, 49, 53, and 55 are amended, claim 3 is cancelled, claim 60 is new, and the remaining claims are unchanged. Consideration and allowance of all pending claims are respectfully solicited in light of the following comments.

35 U.S.C. §112 Rejections

On page 2 of the Office Action, the Examiner rejected claims 1-59 as being indefinite under 35 U.S.C. §112, second paragraph. The Examiner stated that term "specialized entity" is indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The term "specialized entity" has been amended to the term "simulated entity" in all applicable claims. The term "specialized entity" is described in the specification on page 4 line 4, page 37 lines 16 and 20, and page 50 line 9. Illustrative embodiments are disclosed throughout the application such as in FIG. 7 and its description starting on page 32 line 3 of the specification, and in FIG. 8 and its description starting on page 32 line 21 of the specification.

Applicant respectfully contends that the descriptions and illustrative examples of simulated entities throughout the specification and figures satisfy the 35 U.S.C. §112 requirement of definiteness. Applicant respectfully requests that the rejections be withdrawn.

35 U.S.C. §102 and §103 Rejections

Claim 1:

On page 3 of the Office Action, the Examiner rejected claim 1 under 35 U.S.C. §102 as being anticipated by U.S. Patent

Application Publication Leber 2003/0182391 (hereinafter "Leber"). Claim 1 has been amended to include the limitation previously recited in its dependent claim 3. On page 6 of the Office Action, the Examiner rejected claim 3 under 35 U.S.C. §103 as being obvious over Leber in view of U.S. Patent Application Publication Yairi 2004/0078424 (hereinafter "Yairi"). Applicant respectfully contends that amended claim 1 is patentable because the limitation previously presented in claim 3, and now included in claim 1, is not anticipated or obvious in light of the cited references.

On page 7 of the Office Action, the Examiner states that the former claim 3 limitation, now claim 1 limitation, of "determining whether the user is authorized to utilize the application necessary to complete the task, and performing the task only if the user is authorized" is disclosed in paragraph 50 of Yairi. Applicant respectfully contends that Yairi does not disclose this limitation.

Paragraph 50 of Yairi states:

"In addition, for large requests, web services proxy 103 may monitor the status of a request and provide feedback to the user, such as "Processing 80% complete", "Authenticating . . .", and the like."

Applicant fails to understand how paragraph 50 of Yairi, quoted in its entirety above, could possibly disclose the claim 1 limitation. The claim 1 limitation, very generally speaking, relates to determining whether a user is authorized and only performing a task if the user is authorized. Paragraph 50 of Yairi discloses that when a user makes a large request, that the user will receive feedback on the status of the request. Yairi does not at all disclose taking a step such as an authorization step before performing a task.

As mentioned above, Applicant does not understand how the Yairi disclosure could be viewed as disclosing the claim 1

limitation. One guess the Applicant has is that the Examiner may have viewed the words "authenticating" and "authorized" as having the same meanings because of the similar spellings of the two words. The verbs "authenticate" and "authorize" have different meanings. "Authenticate" means to establish as genuine. An example of authenticating is to check for specialized marks on a piece of paper that is purportedly a U.S. twenty dollar bill to determine whether or not that piece of paper is a genuine twenty dollar bill. "Authorize" means to give authority or official power to. An example of authorizing is that 35 U.S.C. §2 grants the United States Patent and Trademark Office the authority to issue patents. The two words have different meanings. Furthermore, even if the two words did have the same meanings, Yairi would still not disclose the claim 1 limitation because the two words are being used in completely different contexts. As stated before, very generally speaking, "authorized" in claim 1 is referring to a step that occurs before a task is performed, and "authenticating" in Yairi is referring a step that occurs while monitoring and providing feedback on the status of a request.

For at least the reasons discussed above, Applicant respectfully contends that claim 1 is not anticipated or obvious by Leber or Yairi considered independently or in combination. Applicant respectfully requests consideration and allowance of claim 1.

Claim 2:

Applicant respectfully contends that claim 2 is patentable at least based on its dependence upon the patentable independent claim 1. Consideration and allowance of claim 2 is respectfully solicited.

Claim 3:

Claim 3 has been cancelled. As discussed under the claim 1 argument, claim 1 has been amended to include the former claim 3

limitation.

Claim 4:

On page 6 of the Office Action, the Examiner rejected claim 4 under 35 U.S.C. §103 as being unpatentable over Leber in view of Yairi. On page 7 of the Office Action, the Examiner states that Yairi paragraphs 40 and 49 disclose the claim 4 limitation of "presenting the user with an opportunity to become authorized when the user is not authorized to utilize the application necessary to complete the task." Applicant respectfully contends that Yairi does not disclose this limitation and that claim 4 is patentable.

Yairi paragraph 40, along with paragraph 41, discloses offering composite services (i.e. more than one service working together) to a user. The example disclosed in Yairi paragraph 41 is that a user can choose for a stock quote retrieval service and an auto notification service to work together. Applicant fails to see how this could disclose "presenting the user with an opportunity to become authorized when the user is not authorized to utilize the application necessary to complete the task."

Yairi paragraph 49 discloses offering a user help from a human operator when the user is not satisfied with the results from an automated search. Again, Applicant fails to see how this could disclose the claim 4 limitation. Very generally speaking, claim 4 relates to presenting a user an opportunity to become authorized when the user is not authorized. Yairi paragraph 49 discloses a user being able to seek human intervention when he or she is not satisfied with the automated results. These two things are not at all related.

For at least the reasons discussed above, Applicant respectfully contends that claim 4 is not anticipated or obvious by Leber or Yairi considered independently or in combination. Applicant respectfully requests consideration and allowance of claim 4.

Claim 5:

On page 6 of the Office Action, the Examiner rejected claim 5 under 35 U.S.C. §103 as being unpatentable over Leber in view of Yairi. On page 7 of the Office Action, the Examiner states that Yairi paragraphs 40 and 49 disclose the claim 4 limitation of "wherein presenting the user with an opportunity to become authorized comprises presenting the user with an opportunity to purchase access." Applicant respectfully contends that Yairi does not disclose this limitation and that claim 5 is patentable.

As discussed under the claim 4 argument, Yairi paragraph 40, along with paragraph 41, discloses offering composite services such as offering a stock quote service and an auto notification service together. Again, as discussed under the claim 4 argument, Yairi paragraph 49 discloses offering a user help from a human operator when the user is not satisfied with the results from an automated search. None of these paragraphs disclose anything similar to the claim 5 limitation of "wherein presenting the user with an opportunity to become authorized comprises presenting the user with an opportunity to purchase access." Yairi does not disclose anything about a user being authorized, about presenting a user an opportunity to become authorized, and Yairi certainly does not disclose anything about an opportunity to purchase access.

For at least the reasons discussed above, Applicant respectfully contends that claim 5 is not anticipated or obvious by Leber or Yairi considered independently or in combination. Applicant respectfully requests consideration and allowance of claim 5.

Claims 6-25:

Applicant respectfully contends that claims 6-25 are patentable at least based on their dependence upon the patentable independent claim 1. Consideration and allowance of claims 6-25

are respectfully solicited.

Claim 26:

On page 3 of the Office Action, the Examiner rejected claim 26 under 35 U.S.C. §102 as being anticipated by Leber. Claim 26 has been amended like claim 1 to include the limitation previously recited in claim 3. Applicant respectfully contends that claim 26 is patentable for at least the same reasons discussed above in the claim 1 argument. Applicant respectfully requests consideration and allowance of claim 26.

Claims 27-41:

Applicant respectfully contends that claims 27-41 are patentable at least based on their dependence upon the patentable independent claim 26. Consideration and allowance of claims 27-41 are respectfully solicited.

Claim 42:

On page 3 of the Office Action, the Examiner rejected claim 42 under 35 U.S.C. §102 as being anticipated by Leber. Claim 42 has been amended to include the limitation "the communication service provider being further configured to present an option to extend access to a service necessary to complete the task." This amendment is well supported by the figures and specification as originally filed. For example, block 1304 of FIG. 13 and its accompanying text on page 25 lines 10-14 of the specification describe a service provider presenting an option to extend access to a service necessary to complete the task.

Applicant has carefully reviewed the cited references, and believes that claim 42 is not anticipated or disclosed by the references considered individually or in combination. Applicant respectfully requests consideration and allowance of claim 42.

Claims 43-59:

Applicant respectfully contends that claims 43-59 are patentable at least based on their dependence upon the patentable

independent claim 42. Consideration and allowance of claims 43-59 are respectfully solicited.

Claim 60:

Claim 60 is new. Claim 60 recites the limitation of "wherein presenting the user with an opportunity to become authorized comprises presenting the user with an opportunity to accept free access." This claim is well supported by the figures and specification as filed. For example, the claim is supported by page 25 lines 21-29 of the specification that states:

"In accordance with block 1306, the user is provided with the requested content only if he/she agrees to the additional fee. In accordance with one embodiment, a user may be provided with free access for a limited time, or for a limited number of searches, to "try out" certain services. After the limitations have expired, the user illustratively must pay or be denied further access."

Applicant has carefully reviewed the cited references, and believes that claim 60 is not anticipated or disclosed by the references considered individually or in combination. Applicant respectfully requests consideration and allowance of claim 60.

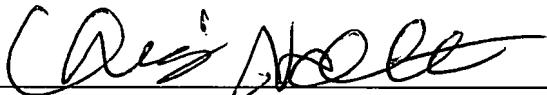
Conclusion

It is respectfully submitted that claims 1, 4-5, 26, 42, and 60 are patentably distinguishable from the cited references considered independently or in combination. It is also respectfully submitted that claims 2, 6-25, 27-41, and 43-59 are patentable based on their dependence upon patentable independent claims. Accordingly, consideration and allowance of all pending claims are respectfully solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Christopher L. Holt, Reg. No. 45,844
Suite 1400
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

CLH:rkp